

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION**

SOUTHWEST LOUISIANA INDEPENDENCE CENTER, INC.	:	CIVIL ACTION NO. 22-02527
	:	
	:	JUDGE JAMES CAIN
V.	:	
	:	MAG. JUDGE KATHLEEN KAY
GRANITE STATE INSURANCE COMPANY	:	
	:	

**GRANITE STATE’S MOTION TO DISMISS
PLAINTIFF’S GENERAL DAMAGE CLAIMS UNDER LA. R.S. § 22:1973**

Defendant, Granite State Insurance Company (“Granite State”) moves to dismiss the claims of “mental anguish, inconvenience, worry, and stress” asserted by Plaintiff, Southwest Louisiana Independence Center, Inc. (“Plaintiff”), under Louisiana Revised Statute § 22:1973. As more fully set forth in the accompanying supporting memorandum, Plaintiff, a corporation, is incapable of experiencing “mental anguish, inconvenience, worry, and stress,” and accordingly, has not and cannot state a valid cause of action therefore under Louisiana Revised Statute § 22:1973.

WHEREFORE, Granite State Insurance Company prays that the instant Motion be granted and that Plaintiff’s claims for “mental anguish, inconvenience, worry, and stress” under Louisiana Revised Statute § 22:1973 be dismissed, with prejudice and at Plaintiff’s cost.

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Respectfully submitted,

/s/ Robert Siegel

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CERTIFICATE OF SERVICE

I hereby certify that on the 28th day of September, 2022, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to all counsel.

/s/ Robert Siegel

ROBERT I. SIEGEL